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EXTRAORDINARY

PART II—Section 2

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LOK SABHA

The following Bills were introduced in Lok Sabha on the 3rd May, 1963:—

BILL No. 18 OF 1963

A bill further to amend the Industrial Disputes Act, 1947.

BE it enacted by Parliament in the Fourteenth Year of the Republic of India as follows:—

1. This Act may be called the Industrial Disputes (Amendment) Short title.
Act, 1963.

14 of 1947. 5 2. In section 33 of the Industrial Disputes Act, 1947, for sub- Amendment
section (5), the following sub-section shall be substituted, namely:— of section
33.

10 “(5) Where an employer makes an application to a conciliation officer, Board, Labour Court, Tribunal or National Tribunal under the proviso to sub-section (2) for approval of the
15 action taken by him, the authority concerned shall, after hearing the parties and considering evidence, if any, adjudicate upon the application in accordance with the provisions of this Act, as if it were a dispute referred to or pending before it, and submit its award to the appropriate Government and the provisions of this Act shall apply accordingly.”.

STATEMENT OF OBJECTS AND REASONS

Under section 33 of the Industrial Disputes Act, 1947, an employer is required to seek approval of the action taken by him against a workman if the action is proposed to be taken during the pendency of any proceedings in respect of an industrial dispute in which such workman is concerned. The scope of this section is very much limited. Under sub-section (5) of this section, the authority, to whom an application for approval of the action is made, is simply to hear such application and pass an order as expeditiously as possible and may give its approval of the action taken by the employer if a *prima facie* case has been made out. The merits of the case and the quantum of punishment are not decided in these proceedings. The workman has to raise an industrial dispute in order to challenge the action taken against him by the employer. This involves financial liabilities for the workman. Besides, the approval of the employer's action by the authority prejudices the case of the workman.

2. The Bill seeks to remedy these defects.

NEW DELHI;

C. K. BHATTACHARYYA.

The 26th March, 1963.

BILL No. 20 OF 1963

A bill further to amend the Salaries and Allowances of Ministers Act, 1952.

BE it enacted by Parliament in the Fourteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 1963. of Short title
and commen-
cement.

5 (2) It shall come into force at once.

LVIII of
1952.

2. In section 3 of the Salaries and Allowances of Ministers Act, 1952 (hereinafter referred to as the principal Act),— Amendment
of section 3.

(i) for the words “two thousand, two hundred and fifty”,
the words “two thousand five hundred” shall be substituted;

10 (ii) for the words “one thousand seven hundred and fifty”,
the words “two thousand” shall be substituted.

3. In section 4 of the principal Act,—

Amendment
of section 4.

(i) for the words “a furnished”, the words “an unfurnished” shall be substituted;

15 (ii) after the words “and no charge shall fall on the Minister personally in respect of the maintenance of such residence”, the words “except for the provision of electricity and water” shall be inserted.

Amendment
of section 5.

4. In section 5 of the principal Act,—

(i) for the words “five hundred”, the words “three hundred” shall be substituted;

(ii) after the words “Deputy Minister”, the words “and a Minister of State” shall be inserted.

5

Substitution
of new sec-
tion for sec-
tion 8.

5. For section 8 of the principal Act, the following section shall be substituted, namely:—

Advances to
Ministers
for purchase
of motor
cars.

“8. The Central Government may, by rules made in this behalf, provide for the payment to any Minister by way of a repayable advance a sum of money not exceeding twelve thousand rupees for the purchase of a motor car in order that he may be able to discharge conveniently and efficiently the duties of his office.”

STATEMENT OF OBJECTS AND REASONS

The Minister of Works, Housing and Rehabilitation recently published facts and figures relating to expenditure incurred over Ministers' residences on account of furniture, water and electricity. Most of the figures were so high that they have earned universal disapproval. The psychological impact on the people has been adverse.

The amending Bill seeks to do away with the supply of free furniture, electricity and water which were provided in the Salaries and Allowances of Ministers Act, 1952, while increasing their salaries by Rs. 250 per mensem.

NEW DELHI;

HARI VISHNU KAMATH.

The 1st April, 1963.

FINANCIAL MEMORANDUM

Additional expenditure will be incurred in connection with the payment of salaries of Ministers which are proposed to be enhanced by Rs. 250 per mensem, but the saving on expenses for furniture, water and electricity will be so substantial that in the end the result will definitely be that no extra or additional sum will need to be paid out of the public exchequer owing to the passage of this Bill.

BILL NO. 21 OF 1963

A bill to provide for the periodical disclosure of assets of Ministers.

Be it enacted by Parliament in the Fourteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Disclosure of Assets of Ministers Act, 1963. Short title
and com-
menement.

5 (2) It shall come into force at once.

2. In this Act,

Definitions.

(a) "Minister" means a member of the Council of Ministers by whatever name called, and includes a Deputy Minister;

10 (b) "property" means and includes any property situate in India or abroad.

3. (1) Every Minister shall, on first appointment and thereafter at the interval of every twelve months, lay before each House of Parliament a return, in such form as may be prescribed by the Central Government, of all immovable property owned, acquired or 15 inherited by him or held by him on lease or mortgage either in his own name or in the name of any member of his family, or in the name of any other person. Disclosure of
assets.

(2) Every Minister shall, on first appointment and thereafter at interval of every twelve months, lay before each House of Parliament a return, in such form as may be prescribed by the Central Government, of all movable property held or acquired or inherited by him or by any member of his family, together with the details of the means by which, or the sources from which, such property was acquired. 5

Explanation.—For the purposes of this sub-section, the expression “movable property” includes, *inter alia*, the following property, namely:— 10

(a) jewellery, insurance policies, shares, securities, and debentures;

(b) deposit in Banks or with private firms or individuals;

(c) loans advanced by such Minister, whether secured or not; 15

(d) motor cars, motor cycles, horses or any other means of conveyance; and

(e) refrigerators, radio-sets and radiograms.

Penalty for
non-compliance

4. A Minister who fails to comply with the provisions of section 3 shall cease to be a Minister forthwith. 20

STATEMENT OF OBJECTS AND REASONS

The evil of corruption in the Administration must be ruthlessly fought at all levels, lest freedom, democracy and socialism should cease to have any meaning at all for the people of our country.

Rules and Regulations for the All-India Services and Central Civil Services provide salutary checks on the conduct of all members of the Services. What is considered necessary in the case of Government servants who have security of tenure, retirement with a pension at the end of their service, and who stand in danger of removal or dismissal from service for proved misconduct, should be even more so in the case of Ministers for whom there are no such built-in checks or deterrents.

It is, therefore, deemed desirable that checks somewhat similar to those provided for in the case of Government employees should be made applicable to Ministers as well. Hence this Bill.

An enactment on similar lines by the Legislature of every State would be welcome.

NEW DELHI;

HARI VISHNU KAMATH.

The 1st April, 1963.

M. N. KAUL,
Secretary.

